



State of North Carolina
Department of Environment, Health, and Natural Resources
Winston-Salem Regional Office

James B. Hunt, Jr., Governor

Jonathan B. Howes, Secretary

DIVISION OF ENVIRONMENTAL MANAGEMENT
GROUNDWATER SECTION

NOTICE OF VIOLATION OF THE OIL POLLUTION AND
HAZARDOUS SUBSTANCES CONTROL ACT

January 29, 1993

CERTIFIED MAIL NUMBER P 409 335 726
RETURN RECEIPT REQUESTED

Shamrock Corporation
Attn: Charles Whisnant
P.O. Box 16247
Greensboro, NC 27405

Subject: 3416 Sandy Ridge Rd., Greensboro, Guilford County, NC

Dear Mr. Whisnant:

Chapter 143, North Carolina General Statutes, authorizes and directs the Environmental Management Commission of the Department of Environment, Health, and Natural Resources to protect and preserve the water and air resources of the State. The Division of Environmental Management has the delegated authority to enforce adopted pollution control rules and regulations.

On January 22, 1993 this office was notified of a release from an Underground Storage Tank System at the subject location.

Such a discharge is in violation of G.S. 143-215.75 et. seq. Oil Pollution and Hazardous Substances Control Act of 1978. Please reference the following excerpts from the Act:

143-215.83. Discharges.--(a) Unlawful Discharges. --It shall be unlawful, except as otherwise provided in this Part, for any person to discharge, or cause to be discharged, oil or other hazardous substances into or upon any waters, tidal flats, beaches, or lands within this state, or into any sewer, surface water drain or other waters that drain into the waters of this State, regardless of the fault of the person having control

over the oil or other hazardous substances, or regardless of whether the discharge was the result of intentional or negligent conduct, accident or other cause.

143-215.84. Removal of prohibited discharges. -- (a) Person Discharging. -- Any person having control over all oil or other hazardous substances discharged in violation of this Article shall immediately undertake to collect and remove the discharge and to restore the area affected by the discharge as nearly as may be to the condition existing prior to the discharge.

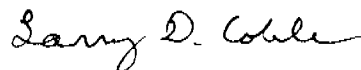
It is our understanding that you and/or your firm are responsible for violation of the Oil Pollution and Hazardous Substances Control Act. Therefore, you are required to immediately undertake clean-up of contamination and restoration of the affected area. Toward this end you must submit a site assessment report which describes the full vertical and horizontal extent of the contamination. An adequate report must be received by this office on or before March 29 , 1993. If the investigation indicates that a corrective action plan (remedial action plan) is required, it should be submitted to this office within sixty (60) days after submitting a site assessment report.

It is requested that within fifteen (15) days, you submit a written response describing your plans to achieve compliance with the Act. Should you dispute our assessment of responsibility, please include documentation of your position in your response.

Failure to submit the report required or failure to promptly undertake clean-up and restoration of the affected area may result in the recommendation of enforcement action including: (1) the issuance of a special order against you under the authority of G.S. 143-215.2, (2) a request to the Attorney General to institute an action for injunctive relief, and (3) a civil penalty of up to \$5,000 in accordance with G. S. 143-215.91.

Please do not hesitate to contact Kelly C. Gage at (919) 373-7565 regarding any questions you may have about this matter.

Sincerely,



Larry D. Coble
Regional Supervisor

LDC/ahl

Enclosure

cc: Office of Attorney General
Incident Management Unit
Guilford County Emergency Services
Guilford County Emergency Management

February 16, 93

3:45

Roger Brewster said Legacy has finished "Worth Industry" report. Roger just got it and will review it before he sends it on. You should have it by the end of next week.

P 409 335 726



Receipt for Certified Mail

No Insurance Coverage Provided
Do not use for International Mail
(See Reverse)

| | |
|--------------------------|------------|
| Sent to | Shamrock |
| Street and No. | WORTH IND. |
| P.O., State and ZIP Code | G-BO |

NOV 01 1991 / 3416 Sandy Ridge Rd. / North Ind.

Is your RETURN ADDRESS completed on the reverse side?

SENDER:

- Complete items 1 and/or 2 for additional services.
- Complete items 3, and 4a & b.
- Print your name and address on the reverse of this form so that we can return this card to you.
- Attach this form to the front of the mailpiece, or on the back if space does not permit.
- Write "Return Receipt Requested" on the mailpiece below the article number.
- The Return Receipt will show to whom the article was delivered and the date delivered.

I also wish to receive the following services (for an extra fee):

1. ☐ Addressee's Address
2. ☐ Restricted Delivery

Consult postmaster for fee.

3. Article Addressed to:

Shamrock Corp.
Attn: Charles Whishant
P.O. Box 16247
Greensboro, NC 27405

4a. Article Number

P-409-335-726

4b. Service Type

- | | |
|---|--|
| <input type="checkbox"/> Registered | <input type="checkbox"/> Insured |
| <input checked="" type="checkbox"/> Certified | <input type="checkbox"/> COD |
| <input type="checkbox"/> Express Mail | <input checked="" type="checkbox"/> Return Receipt for Merchandise |

Date of Delivery

5. Signature (Addressee)

6. Signature (Agent)

Ed Ceresa

Addressee's Address (if requested and fee is paid)

PS Form 3811, December 1991 ☆ U.S.G.P.O. 1992-307-530

DOMESTIC RETURN RECEIPT

Thank you for using Return Receipt Service.